

I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on October 1, 2007

PATENT 6,972,339
Attorney Docket No.: 17682A-007310US
Client Ref. No.: 157

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Eugeny A. Lukhtanov, et al.

Patent No.: 6,972,339

Issued: December 6, 2005

For: COMPOUNDS AND METHODS
FOR FLUORESCENT LABELING

Confirmation No. 8027

Examiner: Dentz, Bernard I.

Technology Center/Art Unit: 1625

**RESUBMISSION OF REQUEST FOR
CERTIFICATION OF CORRECTION
UNDER 37 CFR §1.323**

Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of a Notification of Return of Papers dated October 6, 2006 in connection with the above-identified patent. The Decision indicates that the Petition was returned because the request was not properly signed. The Registrant herewith resubmits the enclosed Request for Certification of Correction as filed on October 4, 2006.

The Registrant is of the belief that no fee is required for this Resubmission. However, if it is determined that a fee is required, please charge any fees or credit any overpayments to Deposit Account 20-1430. The desired corrections are set forth on form PTO 1050, enclosed.

Respectfully submitted,



Mark H. Hopkins, Ph.D.
Reg. No. 44,775

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000 Fax: 415-576-0300
Attachments
M3H:jcm
61167217 v1

TRANSMITTAL FORM	Application Number	10/026,374	
	Filing Date	December 21, 2001	
	First Named Inventor	Eugeny A. Lukhtanov, et al.	
	Art Unit	1625	
	Examiner Name	Bernard I. Dentz	
(to be used for all correspondence after initial filing)		Attorney Docket Number	17682A-007310US
Total Number of Pages in This Submission	5		

ENCLOSURES (Check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Request for Certificate of Correction under 37 CFR §1.323 (2 pages); and 2. Certificate of Correction (Form PTO/SB/44 - 1page).		
<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">Remarks</td> <td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td> </tr> </table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm Name	Townsend and Townsend and Crew LLP			
Signature				
Printed name	Mark H. Hopkins			
Date	10/4/06	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Reg. No.</td> <td>44,775</td> </tr> </table>	Reg. No.	44,775
Reg. No.	44,775			

CERTIFICATE OF TRANSMISSION/MAILING				
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.				
Signature				
Typed or printed name	Amanda E. Ivey	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Date</td> <td>10/04/2006</td> </tr> </table>	Date	10/04/2006
Date	10/04/2006			

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)100.00

Complete If Known

Application Number	10/026,374
Filing Date	December 21, 2001
First Named Inventor	Eugeny A. Lukhtanov
Examiner Name	Bernard I. Dentz
Art Unit	1625
Attorney Docket No.	17682A-007310US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify): Deposit Account 20-1430.

☐ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2035.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)
 Each independent claim over 3 (including Reissues)
 Multiple dependent claims

Small Entity	Fee (\$)	Fee (\$)
	50	25
	200	100
	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

Multiple Dependent Claims
Fee (\$) **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = / 50 = (round up to a whole number) x =

4. OTHER FEE(S)


Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Certificate of Correction 37 CFR §1.20(a)

Fees Paid (\$)

\$100.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	44,775	Telephone	(925) 472-5010
Name (Print/Type)	Mark H. Hopkins	Date	10/4/05		



I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on October 4, 2006.

PATENT 6,972,339
Docket No.: 17682A-007310US
Client Ref. No.: 157

TOWNSEND and TOWNSEND and CREW LLP

By: Amanda E. Ivey
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On October 4, 2006

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Eugeny A. Lukhtanov, et al.

Patent No. 6,972,339

Issued: December 6, 2005

Application No.: 10/026,374

Filed: December 21, 2001

For: COMPOUNDS AND METHODS
FOR FLUORESCENT LABELING

Confirmation No.: 8027

Examiner: Dentz, Bernard I.

Art Unit: 1625

REQUEST FOR CERTIFICATE OF
CORRECTION UNDER 37 CFR §1.323

Attn: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.323 Applicant respectfully requests issuance of a Certificate of Correction correcting errors inadvertently left uncorrected by Applicant.

The desired corrections are set forth on form PTO/SB/44, enclosed.

Please deduct the fee, pursuant to 37 CFR §1.20(a), of \$100.00 from deposit account of 20-1430 and any additional fees associated with this Certificate.

Eugeny A. Lukhtanov, et al.
Application No.: 10/026,374
Page 2

PATENT 6,972,339

Respectfully submitted,



Mark H. Hopkins, Ph.D.
Reg. No. 44,775

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M3H:aei

60854893 v1

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,972,339
APPLICATION NO.: 10/026,374
ISSUE DATE : Decembert 6, 2005
INVENTOR(S) : Eugeny A. Lukhtanov et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 2, column 82, at line 44, replace "(C₂-C₈)" with --(C₁-C₈)--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Mark H. Hopkins

TOWNSEND AND TOWNSEND AND CREW LLP

Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No.: _____

PATENT NO. 6972339	PATENT DATE 12/06/2005
PATENTEE	

MAILING DATE
Certificate
OCT 06 2006
of Correction

NOTIFICATION OF RETURN OF PAPERS
RE REQUEST FOR CERTIFICATE OF CORRECTION

The request for a Certificate of Correction in the above-identified patent is returned herewith, together with the PTOL-1050 (SB/44) forms (if submitted), for the reason(s) checked below.

- ☒ 1. The request is unsigned. The request must be properly signed before it will be considered.
- ☐ 2. The request does not specifically designate the column and line numbers wherein the errors appear in the patent. A substitute request providing this information is required, for proper consideration.
- ☐ 3. The FORM PTOL-1050 (SB/44) submitted with your request is not suitable for printing purposes. See the instructions on the blank Form PTO-1050, enclosed.
- ☐ 4. The Patent No., as shown on papers attach, appears to be incorrect, because:
- ☐ a. The Patent No. on the request and on the PTO-1050 do not agree.
 - ☐ b. The name of the patentee on the patented file does not agree with that shown on the enclosed papers.
- ☐ 5. The record reveals that there is no power of attorney to you in this case. A written power or authorization from the patentee, or assignee, if any, must be submitted, before the request may be considered.
- ☐ 6. The request cannot be considered, because the paper indicated below was filed on _____ AFTER payment of the issue fee: [See 37 CFR 1.313(B).]
- ☐ a. Amendment purported to be under Rule 312.
 - ☐ b. Assignment.
 - ☐ c. Priority papers.
 - ☐ d. Other (identify) _____

☐ 7. Other: _____

☐ A. PLEASE RETURN A COPY OF THIS LETTER TOGETHER WITH THE ENCLOSED PAPERS AS CORRECTED TO ENSURE EXPEDIENT ASSOCIATION WITH THE FILE

☐ B. Enclosed are copies of PTOL-1050 for use in typing the subject matter to be printed on the Certificate. This will avoid delay in handling request (See 862 O.G.2).

Kwathirakal
Decisions and Certificate of Correction Branch

FORM PTOL-396 (8/75)

TIA